

Message

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**From:** Tuori, Thomas [ttuori@hselaw.com]  
**Sent:** 9/13/2019 5:12:10 PM  
**To:** Ludmer, Margo [ludmer.margo@epa.gov]; Daly, Eric [Daly.Eric@epa.gov]  
**CC:** Basile, Michael [Basile.Michael@epa.gov]  
**Subject:** RE: 738 Upper Mountain Road Site Removal Action [HSELAW-WORKSITE.FID715352]  
**Attachments:** ATT00001.txt

Thank you. I will send an invite.



**Thomas M. Tuori**  
**Harter Secrest & Emery LLP**, Attorneys and Counselors  
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**From:** Ludmer, Margo <ludmer.margo@epa.gov>  
**Sent:** Friday, September 13, 2019 1:10 PM  
**To:** Daly, Eric <Daly.Eric@epa.gov>; Tuori, Thomas <ttuori@hselaw.com>  
**Cc:** Basile, Michael <Basile.Michael@epa.gov>  
**Subject:** RE: 738 Upper Mountain Road Site Removal Action [HSELAW-WORKSITE.FID715352]

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11:30a on Monday works for me. Tom, if you could send a calendar invite, that would be much appreciated.

Thanks,  
Margo

Margo B. Ludmer  
Assistant Regional Counsel  
New York/Caribbean Superfund Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
(212) 637-3187

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**From:** Daly, Eric <Daly.Eric@epa.gov>  
**Sent:** Friday, September 13, 2019 1:07 PM  
**To:** Tuori, Thomas <ttuori@hselaw.com>  
**Cc:** Ludmer, Margo <ludmer.margo@epa.gov>; Basile, Michael <Basile.Michael@epa.gov>  
**Subject:** Re: 738 Upper Mountain Road Site Removal Action [HSELAW-WORKSITE.FID715352]

Thanks. Let's see what Margo's availability is.

Regards,

Eric M. Daly

On-Scene Coordinator/Radiological Response Specialist  
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2890 Woodbridge Avenue  
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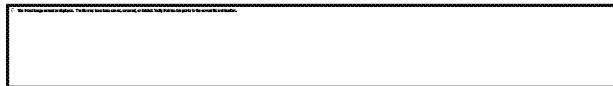
"We must, indeed, all hang together, or assuredly we shall all hang separately", Benjamin Franklin

On Sep 13, 2019, at 12:59 PM, Tuori, Thomas <ttuori@hselaw.com> wrote:

Hi Eric,

I am available any time after 11:30.

Thank you,  
Tom



**Thomas M. Tuori**  
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**From:** Daly, Eric <Daly.Eric@epa.gov>  
**Sent:** Friday, September 13, 2019 12:52 PM  
**To:** Tuori, Thomas <ttuori@hselaw.com>  
**Cc:** Ludmer, Margo <ludmer.margo@epa.gov>; Basile, Michael <Basile.Michael@epa.gov>  
**Subject:** Re: 738 Upper Mountain Road Site Removal Action [HSELAW-WORKSITE.FID715352]

CAUTION: External email. Beware of links and attachments.

Hi Tom:

Maybe we can get on a phone call Monday? Please let us know what times you are all available. I have a training from 10-11am but open other times.

Regards,

Eric M. Daly  
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Benjamin Franklin

On Sep 12, 2019, at 5:07 PM, Tuori, Thomas <[ttuori@hselaw.com](mailto:ttuori@hselaw.com)> wrote:

Hi Eric and Margo,

Do you have time for a call in the next few days to discuss logistics regarding a possible EPA mobilization? I have received input from Mr. Talarico and the Lozinas (owners of 728 Upper Mt. Road), but have not heard anything from Mr. Grace.

Thank you.

Tom



**Thomas M. Tuori**

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**From:** Daly, Eric <[Daly.Eric@epa.gov](mailto:Daly.Eric@epa.gov)>

**Sent:** Tuesday, August 27, 2019 5:05 PM

**To:** Scholand, Gregory P. <[gscholand@hselaw.com](mailto:gscholand@hselaw.com)>; sam  
<[sam.talarico@cbintegrity.com](mailto:sam.talarico@cbintegrity.com)>; Tuori, Thomas <[ttuori@hselaw.com](mailto:ttuori@hselaw.com)>; Ludmer, Margo  
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<[jhorn@hselaw.com](mailto:jhorn@hselaw.com)>; 'Brian Stamm' <[bgstamm@stammlaw.com](mailto:bgstamm@stammlaw.com)>

**Cc:** Basile, Michael <[Basile.Michael@epa.gov](mailto:Basile.Michael@epa.gov)>

**Subject:** 738 Upper Mountain Road Site Removal Action

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Good Afternoon Everyone:

I wanted to reach out to the group and provide an update. The 738 Upper Mountain Road action memo (decision making document that is required for removal action approval and funding) is almost drafted and ready to submit to our attorney's and management for review. My job is to estimate and coordinate activity specifics the best I can at this point. I still would like to conduct the removal action during this calendar year. We should know more in the next couple weeks (barring any hurricane responses).

In the meantime, below are some topics I would like to discuss with the group. If there are any other questions or concerns, please feel free to share.

- Statement of Work

- EPA and EPA contractors plan to mobilize crew/equipment at the Site for approximately two weeks.
  - Set up support facilities on the TBBC property
    - The support facilities will consist of a vehicle parking area, staging areas for equipment, containers for equipment and staged material (super sacks), and sanitation facilities
  - Excavate area of concern and stage radiological material (tentatively, we would place material into super sacks and then stage inside a container)
  - Gamma survey excavated area, post excavation sampling/analysis (include sample of the clean fill soil), backfill and restore excavated area with clean fill, load and transport material as per disposal facility acceptance criteria
  - Demobilize support facilities and equipment
- Update current property access agreement to conduct the removal action
  - We would build on the access agreement we have on file but include the removal aspect.
  - Our personnel will need to stage their equipment on the Site. Since the radiological material to be removed is on the TBBC Property, it would be preferable to utilize the TBBS land.
  - **Is there an access road to the southern portion of the TBBS property?** My account is the driveway was originally a roadway so the property wasn't landlocked. I believe storing equipment and containers back there would be best for security, public appearance, and available space. Our contractors could clear a pathway with property owner guidance if necessary. Please let me know what TBBC and attorneys think.
- Utility Markout at and around the area of concern
  - Our contractor will set this up but we will need to coordinate with property owners and complete this before we mobilize to perform work.
- 738 Upper Mountain Road Resident
  - I am assuming that Mr. Grace is still the resident at 738 Upper Mountain Road? If not, please provide any updated contact information
  - The resident would be inconvenienced for approximately two weeks without use of the TBBC property/"driveway"

- We do not have to conduct any work on the 738 Upper Mountain Road Parcel.

Thanks!

Regards,

Eric M. Daly  
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